

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MANDY POULIN, Individually, MANDY
POULIN, as Executrix of the Estate of Kurt
Hiebaum,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

**~~PROPOSED~~ ORDER OF DISMISSAL
WITH PREJUDICE**

19 Civ. 10959 (VB); 20 Civ. 3758 (VB)

WHEREAS, on or about Nov. 30, 2021, plaintiffs Mandy Poulin, individually, and Mandy Poulin, as executrix of the estate of Kurt Hiebaum ("Plaintiffs"), and defendant United States of America (the "United States") entered into an agreement to settle and compromise each and every claim of any kind, whether known or unknown, arising directly or indirectly from the acts or omissions that gave rise to the above-captioned action;

WHEREAS, the complete and precise terms and conditions of the settlement are set forth in the Stipulation for Compromise Settlement and Release of Claims (the "Stipulation"), attached hereto as Exhibit A;

WHEREAS, Plaintiffs and the United States (together, the "Parties") entered into the Stipulation for the purpose of compromising disputed claims under the Federal Tort Claims Act and avoiding the expenses and risks of further litigation;

WHEREAS, the Stipulation is not, is in no way intended to be, and should not be construed as, an admission of liability or fault on the part of the United States, its agents, servants, or employees, and the United States specifically denies that it is liable to Plaintiffs;

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Parties

bear their own costs, expenses, and fees.

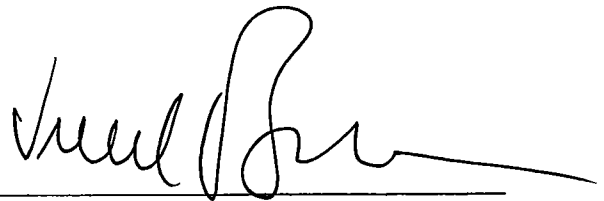
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, following its entry of this Dismissal Order, the Court will not retain jurisdiction over the action against the United States or the Stipulation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the above-captioned action is dismissed in its entirety with prejudice.

SO ORDERED.

Dated: White Plains, New York

12/2/2021

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Hon. Vincent L. Briccetti
United States District Judge